

**February 9, 2004**

**City of Milton-Freewater  
City Council Minutes**

The Council of the City of Milton-Freewater met in regular session on Monday, February 9, 2004 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Key, Councilors Saager, Lyon, Records, Woods and Kelley. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Grant Writer Mike Watkins, Police Chief Mike Gallaher, Library Director Bob Jones and Finance Director Dave Richmond. Our citizen present was Merle Sherman. Councilor Humbert was not in attendance.

The only member of the press present was Jeff Durham of the Blue Mountain Pioneer.

CONSENT CALENDAR ITEM: The only item on the consent calendar are the minutes from the January 26, 2004 meeting. Councilor Saager moved to adopt the consent calendar. Councilor Woods seconded the motion which passed unanimously.

Mayor Key announced this was the opportunity for citizens to approach the council with items not on the agenda. None approached.

**NEW BUSINESS**

RESOLUTION NO. 1946 Authorizing Signature for Lease of Commercial Kitchen.  
Assistant City Manager Linda Hall stated the City has had a lease on the commercial kitchen since 1993 or 1994. It was originally developed by a joint effort and grant by the Port of Umatilla (Port) and the City of Milton-Freewater (City). What started out as a “business incubator” type of commercial kitchen, has changed uses and directions several times since its introduction. Most recently and with council’s blessing, the City would like to enter into a lease with Phil and Sally Davis, who operate Phil and Sally’s Bakery out of the commercial kitchen. This lease is before council this evening. Phil and Sally Davis have both reviewed the lease as well.

Councilor Woods asked if the facility could still be used as a business incubator, or if the process was not practical. Ms. Hall said that as she understood, mentioning that Grant Writer Mike Watkins had done a lot of research on this as well, the kitchen has always been required to be licensed under the Oregon State Department of Agriculture. As such, there have always been conditions associated with the license. No fresh eggs, no meats, etc. Since society as a whole have been informed of resistant strains of E-Coli and other bacterial invasions, the restrictions on commercial kitchens have become more strict due to liability. If another business uses the commercial kitchen, they would have to have their own license, or, they would be required to work under Phil and Sally Davis’ license which is worrisome to Phil and Sally Davis. This whole scenario is too inhibiting.

Councilor Woods then asked if the City, by accepting this new lease, was accepting a new direction for the facility; that the kitchen is not practical to have as a “business incubator.” Ms. Hall stated that would be the case for the duration of the lease, which is three years. Councilor Woods then asked if there was a clause in the agreement with the Port that restricts the City from not having this facility as a business incubator. Ms. Hall said no.

Councilor Lyon said there was a clause that stated one stove needed repaired and asked if the stove still needed repair. Ms. Hall said that she, City Manager Delphine Palmer along with Phil and Sally Davis had discussed this and the stove will be hooked up. Ms. Palmer said the stove needs an outlet to be hooked up. Ms. Palmer further said there was a list of items that need attention and will be asking Public Works Superintendent Howard Moss to review the items on the list so they can all be repaired.

Councilor Kelley said the lease did not address which party would be responsible for repair of appliances. Ms. Hall said this research project on the commercial kitchen used about two days last week because she had the understanding that the City owned the major equipment at the commercial kitchen. A phone call was made to Susan Daggett at the Port of Umatilla, who said the equipment belonged to the Port of Umatilla. The archive files were brought forward, and it was found that the equipment is owned jointly by the City of Milton-Freewater and the Port of Umatilla as it was a joint grant through Economic Development Administration (EDA). When reviewing past practices, the City has paid for repairs and the Port of Umatilla has paid for repairs as well. Ms. Hall proposed to Ms. Palmer to split any future repair costs between the City and the Port. Ms. Hall stated that she was sure Susan Daggett of the Port would be very agreeable to this as they are a very good partner with the City. Ms. Palmer stated that a clause should be written in the lease agreement clarifying repair responsibility.

Councilor Woods asked Phil Davis about the “business incubator” concept and what he thought about it. Mr. Davis said it was a good idea when it first opened, that he had been associated with the kitchen for most of the time since it opened. When it first opened, there were 10 to 12 individuals using the kitchen when they needed it. Since then, all of those individuals have quit. Mr. Davis said that about two years ago, after the deal with Jerry Scott didn’t succeed, he approached the City to manage the kitchen, work there, keep it open and pay all the bills in hopes to get more individuals in there. Then last year, Oregon State changed the licensing rules. Mr. Davis has a bakery license. With the new rules, if another business comes into the kitchen to use it as a bakery, they would have to work under Mr. Davis’ license as the State will only allow one type of license in the facility at any given time. Because of this scenario, most of the “business incubator” type facilities in Oregon have either closed, or have taken on the same direction as the City is proposing.

Councilor Kelley moved to adopt Resolution No. 1946, Authorizing Signature for Lease of Commercial Kitchen with the addition in Section 5, Part F, and the City and Port will be responsible for repair of appliances. Councilor Lyon seconded the motion which passed unanimously.

APPROVAL Library Policies. Library Director Bob Jones gave some background stating that in 1986 when Umatilla County decided to exit the library business, the Umatilla County Special Library District was created. The District then contracted with eleven different cities. To develop an agreement that all the cities would agree to, the District developed an agreement; however, that agreement didn't have any support. Some cities used the spirit of the agreement and other cities not only didn't, they looked for avenues to skim monies from the District funds to use for other purposes. A couple of years ago, the library board determined they needed a new governmental agreement that would have some authority. The library board requires cities to have certain written policies for different aspects of library operations. There are about fifteen policies the library board has required. The City has now started the process of writing policies that previously was in place, but informally. The Umatilla County Library Board has approved these policies brought before Council this evening, and now recommends that Council adopt them as well. This is a requirement of the board. Over the course of the next year, there will be other policies to follow as they are written.

Councilor Kelley said she had gone through the policies and that they seemed to cover a lot. Councilor Kelley asked about the additional policies. Mr. Jones stated there was a list from the Library Board requiring written policies. There are about fifteen on the list and there are five before Council this evening, so as soon as the others are written and approved by the Library Board, the others will be submitted for council approval.

City Manager Delphine Palmer said she had reviewed the policies thoroughly to ensure there were not any conflicts with City policy. There were not any conflicts with the policies submitted. Mr. Jones said the policy on conduct, referred to by Councilor Kelley, and was developed after staff had mentioned some concerns with behavior in the library. Mr. Jones researched this and found several policies with other libraries and borrowed from them extensively to write the policy before council this evening.

Councilor Woods asked about the borrower's card being issued by mail before borrowing any materials from our library. Mr. Jones explained the situation by stating that there are a few individuals that never come to the library until they determine suddenly that they need something very specific. Specific usually means legal, medical, or repairs. Since they are not regular patrons of the library, they do not intend to return the materials they have borrowed. They have filled out their information, but by the time the materials are overdue and a letter of notification sent to them, the notification is returned and their phone number and references are not valid. With the new policy, a new patron will apply for their card and then the card will be mailed to them with non-forwarding instructions. The delay for use of library materials with this new policy is 1 to 2 days.

Councilor Kelley asked if there were individuals from College Place, as an example, that have library cards to our library. Mr. Jones stated there were; that these individuals, from College Place and Walla Walla, pay an annual fee to get a card. Mr. Jones further explained by stating there had been an increase in this process since Sykes opened. Councilor Kelley asked what the charge was for an out-of-state library card. Mr. Jones

said that currently, the charge is \$25.00 for one year, for unlimited use. This is based on per-capita support. To calculate this, the total budget is divided by the total population. This is over \$20.00 and under \$25.00.

Councilor Woods asked why there was differentiation between \$4.99 fines versus \$5.00 fines. Mr. Jones said that there needs to be a reasonable breaking point and the thought is that if the fine is less than \$5.00, there is not a significant problem, but more than \$5.00 may indicate a problem that needs attention before influencing a new problem. Mayor Key asked if the City could collect that for the District. Mr. Jones said there was some discussion on this and the City library has agreed to collect the funds and mail them on to which ever entity has generated the fine, but there are a few of the entities that do not want their fines collected elsewhere. Mayor Key asked if patrons were charged for materials from other libraries. Mr. Jones said that there are no charges within the district, but some universities will charge postage plus and with that scenario, the patron is asked if they would be willing to pay the fees.

Councilor Kelley stated she found the service to obtain materials our own library did not have at no cost, very beneficial.

Councilor Kelley moved to approve the library policies. Councilor Records seconded the motion which passed unanimously.

## **MANAGER'S REPORT**

City Manager Delphine Palmer said that all the department heads, along with her, are all busy working on their budgets. They are due on February 14<sup>th</sup> and then appointments have been scheduled for the line-by-line drilling of each department. With each department head, 4 to 8 hours is spent going over each line-item to justify every revenue and expenditure in detail. Assistant City Manager Linda Hall will be join in the meetings this year along with Finance Director Dave Richmond and myself.

Ms. Palmer said she spoke with Tracy King regarding the Sugar Shack and the material and equipment there. Library Director Bob Jones will be speaking with the Friends of the Milton-Freewater Public Library to determine if they would be willing to operate this small business on a volunteer basis to raise funds for the library.

Ms. Palmer said City staff would be meeting with Sherry Rowan this week to discuss the old library building. As council recalls, she is interested in leasing the Carnegie library and possibly having a visitor's center.

Last Friday was the annual Community Development Partnership (CDP) retreat to set goals. Working with the City, CDP and Rotary, we would like to see the signs done this year, our flag pole and art on the overpass.

Ms. Palmer said she finalized the new City logo on the City's stationary this week and that it looks very nice. The City is in the bidding process right now and hopefully, the project will go to the press soon.

Greg Stine will be coming soon. Invitations will be sent with the utility statements so that, hopefully, there will be a lot of citizens attend our town hall meeting. First, however, Mr. Stine will meet with the council on March 8<sup>th</sup> to give council a preview of the town hall meeting. Already there are citizens calling in that want to attend this event.

As most know, there was a severe incident this weekend regarding rape in our community. Ms. Palmer said she asked Police Chief Mike Gallaher to address the issue. Chief Gallaher stated that last evening about 8:30pm, City officers were dispatched to a report of an attempted abduction. A lady and her daughter reported they were walking down the street at NE 1<sup>st</sup> near Russell Street, NW corner of the main PGG facility and the mother described the young man as possibly late teens to early twenties, thinly built and wearing a bandana on the bottom half of his face. The young man physically grabbed the 13-year old daughter. At first he indicated he had a knife, but the mother determined there was nothing in his hand so she struggled with him and fought him off getting the daughter away from him at the same time telling him there was a police car coming down the street. It wasn't a police car, but it was enough to let go of the girl and start running. The officers canvassed the neighborhood where he had taken off on foot. At 9:30pm, the officers received a report from a lady about four blocks south of the earlier incident, that an intruder entered her home breaking a window. She gave the best description she could give at the time; the description was similar to the person described previously. There is extra staff working in the area. Officers have reviewed information on local individuals they are familiar with. The department is open to all possibilities. The police department does not have yet what is called a "focal suspect." Chief Gallaher said it was a bizarre circumstance and they are very concerned. Chief Gallaher said he advised the Milton-Freewater school superintendent Marilyn McBride due to their vulnerability, but there close proximity to the area of incident. Ms. McBride informed staff and students with information that was also sent home to parents. Councilor Woods had copies with him that he shared with Chief Gallaher. Chief Gallaher then summed the action by his department, stating the information is out, they are beating the streets and will continue to work on this until they find resolution and it is hoped that that resolution will come quick.

## **COUNCIL ANNOUNCEMENTS**

Councilor Kelley announced she was at the Healthy Community Healthy Youth meeting February 1<sup>st</sup>, and reported it's a good program. The organization has been working with Cougars After Hours that has been going through the Central Community Learning Center (CCLC) at Central Middle School and there is also the Kid's Activity program at the Armory. These are well attended with many participants with good parental response. Where kids have a place to go after school, parents are realizing positive behavior changes. An application was made to Wildhorse for grant funds to run two sessions at a camp this summer. It's called "Exploring the Blues." This is an outdoor, science and recreation resident camp. She has been notified from Wildhorse that they are

reducing the funds from this program and with the \$10,000 request; Wildhorse may only issue 25% to 50%. The camp is for kids that may not otherwise be able to attend summer camp. They are trying to run this at the Kiwanis Camp. Transportation and staff will be funded by CCLC. The goal is to cost only \$40 for each kid to attend for five days and four nights for each session. If the funds from Wildhorse are cut too drastically, she will be looking into funding avenues very quickly. This is a great program! Last year an overnigher was planned and the kids hiked down, spending the night after a reception at the bottom. The activity brought about great changes in the kids. She said she was providing after-school programming through CCLC and the next meeting is February 12<sup>th</sup> at 6:30pm.

Councilor Saager asked a question about accounts payable. Number 11845 Western Systems & Fabrication for a replacement arm for a B100 for \$23,200. What is B100? City Manager Delphine Palmer stated she knew this was for the substation because it had been discussed before.

There being no further Council business, the meeting was adjourned at 7:40 p.m.

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Lewis S. Key, Mayor